

Amendment  
Serial No. 10/721,712

5000-1-490

### REMARKS

Reconsideration of the above identified application, as amended and in view of the following remarks, is respectfully requested.

Claims 15 and 17-19 are rejected. Claims 1-14 have been allowed. Claim 15 has been amended. Claim 16 has been canceled. Claims 1-20 are pending, and claims 1 and 15 are independent claims.

Applicants wish to thank the Examiner for indicating that base claim 1 and dependent claims 2-14 are allowed. Further, claims 16 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In response to the Examiner's suggestion, applicants have incorporated dependent claim 16 into base claim 15. In particular, claim 15, as amended, now recites a self-healing WDM (Wavelength Division Multiplexing) – PON (Passive Optical Network) apparatus having a CO (Central Office), a RN (Remote Node) and a plurality of subscriber units, comprising, *inter alia*, an NxN multiplexer/demultiplexer for multiplexing/demultiplexing upstream/downstream working/protection signals.

In contrast, Yoshimura protection switching method and apparatus for passive optical network system fails to show an NxN multiplexer/demultiplexer for multiplexing/demultiplexing upstream/downstream working/protection signals, as recited in the amended base claim.

Therefore, applicants respectfully request withdrawal of this ground of rejection as Yoshimura fails to anticipate the present invention.

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The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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